

ORIGINAL

BEFORE THE STATE BOARD OF SOCIAL WORK EXAMINERS

STATE OF IDAHO

In the Matter of the License of:

CATHY J. ANDERSON,  
License No. LCSW-1058,

Respondent.

Case No. SWO-2004-6

**FINAL ORDER**

THIS MATTER came before Michelle R. Points, the designated Hearing Officer. The State appeared by its attorney of record, Stephanie N. Guyon, Idaho Deputy Attorney General. Respondent, Cathy J. Anderson, represented herself in this proceeding. On July 1, 2004, the State filed a Motion for Summary Disposition of the Complaint based upon Respondent's conviction of a felony involving the practice of social work. On July 28, 2004, the Hearing Officer submitted her Findings of Fact, Conclusions of Law and Recommended Order. On December 8, 2004, the Hearing Officer filed a Schedule of Review of her Recommended Order with the Board.

This matter then came before the Idaho State Board of Social Work Examiners. After a review of the record in this matter, and good cause appearing therefor, the Board unanimously adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. The Board adopts the Hearing Officer's Findings of Fact and Conclusions of Law, and incorporates the same herein by this reference.

2. That Respondent's actions constitute unprofessional conduct under Idaho Code Sections 54-3211(1) and (3), and further constitute grounds for disciplinary action against her license to practice social work in the state of Idaho pursuant to Idaho Code Section 54-3212 and IDAPA

**FINAL ORDER - 1.**

24.14.01.475. The Board therefore imposes the following disciplinary sanctions upon Respondent Cathy J. Anderson:

a. That Respondent's license shall be suspended for a period of five (5) years from the date of this Order.

b. That Respondent shall comply with all terms of her criminal probation ordered by the Federal District Judge in the case *United States of America v. Cathy Jean Anderson*, Case No. 4:03CR00179-001.

c. That Respondent shall pay the costs and attorney's fees incurred in the investigation and prosecution of this matter in the total amount of \$781.14, as reviewed in the Formal Action Cost Summary attached hereto as Exhibit "A," and incorporated herein by this reference.

d. That Respondent shall complete twenty (20) hours of continuing education in ethics.

e. After completion of her criminal probation, Respondent shall obtain an evaluation from a licensed psychologist in Idaho holding at least a Ph.D. establishing that the Respondent is able to practice social work in the state of Idaho in compliance with the laws and rules governing social workers.

f. That at the end of the suspension term of Respondent's license, Respondent shall be entitled to an active social work license upon proof that she has met all of the requirements set forth in this Final Order and after appearing before the Board of Social Work Examiners at a regularly scheduled meeting.

**FINAL ORDER - 2.**

3. This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4).)

b. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (*See*, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

4. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 21<sup>st</sup> day of January, 2005.

STATE BOARD OF SOCIAL WORK  
EXAMINERS

By   
Robert Payne, Chairman

**CERTIFICATE OF SERVICE**

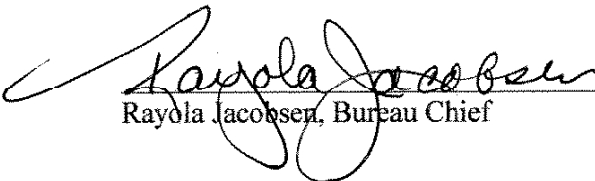
I HEREBY CERTIFY that on the 31<sup>st</sup> day of January, 2005, I caused to be served,  
by the method(s) indicated, a true and correct copy of the foregoing upon:

Stephanie N. Guyon  
Deputy Attorney General  
Office of the Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

☒ Statehouse Mail  
☐ U.S. Mail  
☐ Hand Delivered  
☐ Fax Transmission

Cathy J. Anderson  
4537 E. 300 N.  
Rigby, ID 83442

☒ Certified Mail  
☒ U.S. Mail  
☐ Hand Delivered  
☐ Fax Transmission

  
Rayola Jacobsen, Bureau Chief

Exh. A - Formal Action Cost Summary

M:\General Representation\Bureau of Occupational Licenses\Social Workers\4773\_21 Anderson Final Order.doc

**FINAL ORDER - 4.**

# IDAHO BUREAU OF OCCUPATIONAL LICENSES

## Formal Action Cost Summary

Case #	Respondent Name	Lic No
SWO-2004-6	CATHY J ANDERSON	LCSW-1058

### Formal Action

Case #	Date	Vendor	Description	Amount
SWO-2004-6	8/16/2004	HAWLEY TROXELL ENNIS & HAWLEY	sw0 2004-6	\$150.00
SWO-2004-6	8/16/2004	HAWLEY TROXELL ENNIS & HAWLEY	sw0 2004-6	\$5.00
SWO-2004-6	8/9/2004	HAWLEY TROXELL ENNIS & HAWLEY	SWO 2004 6	\$272.54
SWO-2004-6	8/1/2004	ATTORNEY GENERAL OFFICE OF	Professional services	\$34.20
SWO-2004-6	7/1/2004	ATTORNEY GENERAL OFFICE OF	Professional services	\$38.00
SWO-2004-6	6/1/2004	ATTORNEY GENERAL OFFICE OF	Professional services	\$38.00
SWO-2004-6	5/1/2004	ATTORNEY GENERAL OFFICE OF	Professional Services	\$34.20
SWO-2004-6	4/1/2004	ATTORNEY GENERAL OFFICE OF	Professional Services	\$34.20
Formal Action Total				\$606.14

### Investigation

Case #	Date	Vendor	Description	Amount
SWO-2002-88	1/23/2004	STUART E PROPSOM	Time Spent on Investigation	\$175.00
Investigation Total				\$175.00
Total Cost				\$781.14



\* S W O - 2 0 0 4 - 6 \*

RECEIVED

AUG 31 2004

BUREAU OF  
OCCUPATIONAL LICENSING

ORIGINAL

Michelle R. Points, ISB No. 6224  
Hearing Officer  
877 Main Street, Suite 1000  
P.O. Box 1617  
Boise, ID 83701-1617  
Telephone: (208) 344-6000  
Facsimile: (208) 342-3829  
Email: mpoi@hteh.com

BEFORE THE BOARD OF SOCIAL WORK EXAMINERS  
STATE OF IDAHO

In the Matter of the License of:	)	
	)	Case No. SWO-2004-6
CATHY J. ANDERSON,	)	
License No. LCSW-1058,	)	FINDINGS OF FACT, CONCLUSIONS
	)	AND LAW AND ORDER GRANTING
	)	THE BOARD'S MOTION FOR
Respondent.	)	SUMMARY JUDGMENT AND
	)	RECOMMENDED ORDER

**FINDINGS OF FACT**

1. Cathy J. Anderson (hereinafter "Respondent") is licensed by the Idaho State Board of Social Work Examiners (hereinafter "Board") under License No. LCSW-1058 to engage in the practice of social work..
2. On or about January 20, 2004 a Judgment was entered against Respondent in United States District Court for the District of Idaho, Case No. CR-03-179 for the crime of Medicaid Fraud, a felony, in violation of 18 U.S.C. § 1347. In addition, the Medicaid Fraud for

FINDINGS OF FACT, CONCLUSIONS AND LAW AND ORDER GRANTING THE  
BOARD'S MOTION FOR SUMMARY JUDGMENT AND RECOMMENDED ORDER - 1

which Respondent was convicted occurred in connection with services rendered by Respondent as a licensed Social Worker.

3. On or about May 12, 2004 the Complaint was filed in this case alleging that because of Respondent's felony conviction, the Board may take disciplinary action against Respondent's Social Work License pursuant to Idaho Code § 54-3211(1) and (3) and IDAPA 24.14.01.450.01.b. In apparent response to the pleadings filed by the Board in this action, Respondent sent responses by way of letters on June 7, 2004 to this Hearing Officer and to representatives of the Board.

4. In an Order dated June 28, 2004, this Hearing Officer found that Respondent had attended these proceedings within the meaning of Idaho Code § 67-5242(4). Thereafter, on July 1, 2004, the Board filed the subject Motion for Summary Disposition and Memorandum in Support of Motion for Summary Disposition.

5. Respondent has not filed any response to the Board's Motion for Summary Disposition.

6. This Hearing Officer finds that there is no issue of material fact that:  
(a) Respondent has been found guilty of a felony; (b) Respondent committed fraud or deceit in connection with services rendered as a Social Worker; (c) Respondent has violated Idaho Code §§ 54-3211(1) and (3); and (d) the Board may enter an Order refusing to renew or suspending or revoking Respondent's Social Work License.

#### **CONCLUSIONS OF LAW**

As a licensed Social Worker in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of Title 54, Chapter 32, Idaho Code.

Respondent's acts constitute violations of Idaho Code §§ 54-3211(1) and (3), thereby authorizing the Board to impose sanctions against Respondent.

### **RECOMMENDED ORDER**

Based upon the foregoing, it is the recommendation of this Hearing Officer that the Board take such action as it deems appropriate consistent with the Findings of Fact and Conclusions of Law stated herein.

This recommended Order will not become final without action of the agency head. Any party may file a petition for reconsideration of that recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of this notice. The hearing officer issuing this recommended order will dispose of any petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code §§ 677-5243(3); 67-5244 and IDAPA 04.11.01.720.02.

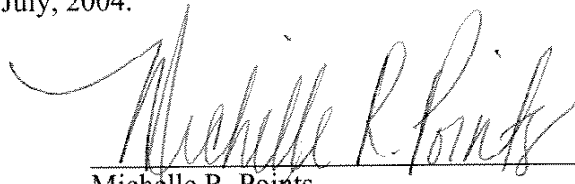
Within twenty-one (21) days after (a) the service date of this notice, (b) the service date of a denial of a petition for reconsideration from the recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of the recommended order and file briefs in support of the party's position on any issue in the proceeding.

Written briefs in support of or taking exception to the recommended order shall be filed with the agency head (or designee of the agency head). Opposing parties shall have twenty-one days to respond. The agency head or designee may schedule oral argument in the matter before issuing a final order. The agency head or designee will issue a final order within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless waived by the parties or for good cause shown. The agency head (or designee of the agency head) may remand



the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order.

DATED THIS 28<sup>th</sup> day of July, 2004.

  
\_\_\_\_\_  
Michelle R. Points  
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of July, 2004, I caused to be served a true copy of the foregoing FINDINGS OF FACT, CONCLUSIONS AND LAW AND ORDER GRANTING THE BOARD'S MOTION FOR SUMMARY JUDGMENT AND RECOMMENDED ORDER by the method indicated below, and addressed to each of the following:

Cathy J. Anderson, #10504-023  
FCI Dublin  
5675 8th Street, Camp Parks  
Dublin, CA 94568

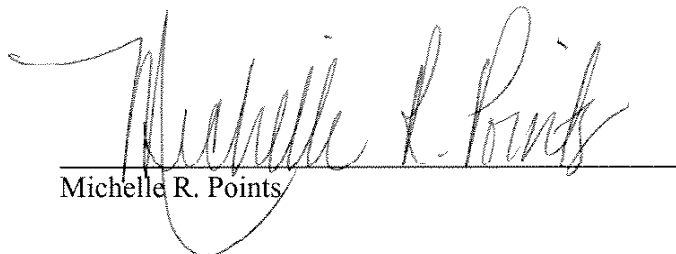
☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

Cathy J. Anderson  
4537 E. 300 N.  
Rigby, ID 83442

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

Stephanie N. Guyon  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

☒ U.S. Mail, Postage Prepaid  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Telecopy

  
\_\_\_\_\_  
Michelle R. Points